

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America
v.

Andres Rolando Vela,

Case No. 4:21-mj-30480
Judge: Ivy, Curtis
Filed: 10-13-2021
USA V SEALED (kcm)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of between August 13, 2021 & October 1, 2021 in the county of Genesee in the
Eastern District of Michigan, the defendant(s) violated:

Code Section
18 U.S.C. § 922(n)

Offense Description
Receipt of a firearm while under indictment

This criminal complaint is based on these facts:

I have probable cause to believe sometime between August 13, 2021, and October 1, 2021, in the Eastern District of Michigan, Andres R. Vela willfully received a firearm, that had been shipped or transported in interstate commerce, while under indictment for a crime punishable by a term of imprisonment exceeding one year, in violation of 18 U.S.C. § 922(n).

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: October 13, 2021

City and state: Flint, MI


Complainant's signature

Dustin Hurt, Special Agent, ATF

Printed name and title



Judge's signature

Curtis Ivy, Jr., United States Magistrate Judge

Printed name and title

AFFIDAVIT

1. I have been employed as a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) since October of 2018. I am currently assigned to the Detroit Field Division, Flint Field Office. Before working for the ATF, I was employed by the Michigan Department of State Police (MSP) for approximately seven years. Before working for MSP, I was a local police officer for the Grand Ledge Police Department for approximately three years. I held numerous positions with the MSP, including Detective Sergeant in the Polygraph Unit and Task Force Officer with the FBI. During my employment with ATF and MSP, I have conducted or participated in numerous criminal investigations focused on firearms, armed drug trafficking, and criminal street gangs, and other violations of federal law.

2. I make this affidavit from personal knowledge based on my participation in this investigation, my review of reports and other materials prepared by those who have personal knowledge of the events and circumstances described herein, and information gained through my training and experience. The information outlined below is provided for the limited purpose of establishing probable cause and does not contain all details or all facts of which I am aware relating to this investigation.

3. Other law enforcement personnel and I are currently investigating

Andres Rolando Vela, date of birth XX/XX/1998, for various offenses including receipt of a firearm while under indictment, in violation of 18 U.S.C. § 922(n).

Vela Under Indictment

4. On September 12, 2020, Andres R. Vela was charged in 67th District Court in Genesee County, Michigan, case number 20TB1859, with several felony offenses that are punishable by imprisonment for a term exceeding one year including one count of Assault with Intent to Murder, two counts of Felony Firearm, and one count of Assault with a Dangerous Weapon. The 67th District Court set Vela's bond at \$30,000 cash/surety for the count of Assault with Intent to Murder. On October 8, 2020, the 67th District Court held a preliminary examination. At the hearing, the court found probable cause for the above-listed charges and they were bound over to Genesee County Circuit Court. On October 9, 2020, Vela posted bond and was released from custody. On October 12, 2020, the case and above-listed charges was transferred to the 7th Circuit Court in Genesee County, Michigan, and assigned case number 20-047160-FC. The case is currently pending.

Execution of Search Warrant at Vela's Residence

5. On October 1, 2021, police executed a state search warrant at Vela's residence located at 1105 Ramsgate Road, Building #2, Apartment #2, Flint, Michigan. The search warrant was related to a state homicide investigation. Andres

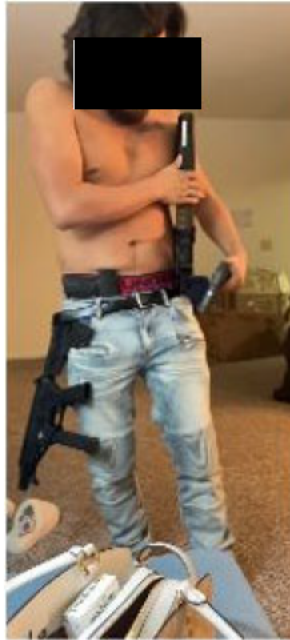
Vela and Skyler Goyette (w/f XX/XX/1994) and two children were inside the residence when police executed the warrant. Policed seized several items including the following:

- (i) FN-Herstal Pistol, model: Five-Seven, caliber: 5.7 x 28, bearing S/N: 386221875 containing a loaded pistol magazine.
- (ii) Smith & Wesson Pistol, model: M&P 40 Shield, caliber: 40 cal, bearing S/N: JDV1957 containing a loaded pistol magazine.
- (iii) Freedom Ordinance firearm, model: FX-9, caliber: 9mm, bearing S/N: 046841. This firearm had a magazine inserted containing 29 rounds of ammunition with an additional round chambered.
- (iv) Franklin Armory Lower Receiver, model: Pistol, caliber: multi-caliber, bearing S/N: P-12037.
- (v) American Tactical Lower Receiver, model: Omni-Hybrid, caliber: multi caliber, bearing S/N: NS180857.
- (vi) Five cellular telephones which contained data that officers forensically extracted.

Search of Skyler Goyette's Cell Phone

6. The results of the forensic download of Skyler Goyette's cell phone contained a photograph which was dated September 3, 2021, at 9:45 am from an

iPhone 12. In the photograph, Andres Vela can be observed in possession of four separate firearms one of which being the Freedom Ordinance pistol, model: FX-9, caliber: 9mm, bearing S/N: 046841. This firearm can be observed hanging from Vela's pants on his right side as seen below.



7. On October 5, 2021, I physically examined the Freedom Ordinance firearm, model: FX-9 bearing S/N: 046841. I conducted an eTrace query of the firearm which indicated that the firearm was purchased by Skyler Goyette on August 13, 2021, from a federally licensed gun dealer. Below is a photograph of the firearm that I examined.



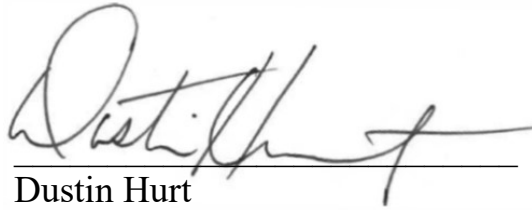
Interstate Nexus

8. I am recognized by the ATF as having expertise in the interstate travel and manufacture of firearms. Based upon my training and a review of the firearm, the Freedom Ordinance pistol, model: FX-9 bearing S/N: 046841 was manufactured outside of the state of Michigan and is a firearm as defined in Chapter 44, Title 18, United States Code.

9. Based on the foregoing, I have probable cause to believe sometime between August 13, 2021, and October 1, 2021, in the Eastern District of Michigan, Andres R. Vela willfully received a firearm, that had been shipped or transported in

interstate commerce, while under indictment for a crime punishable by a term of imprisonment exceeding one year, in violation of 18 U.S.C. § 922(n).

Dated: October 13, 2021



Dustin Hurt
Special Agent
Bureau of Alcohol, Tobacco, Firearms and Explosives

Sworn to before me and signed in my presence and/or by reliable electronic means
on October 13, 2021.



Hon. Curtis Ivy, Jr.
United States Magistrate Judge